

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|---------------------------|---|-------------------------------------|
| In re: |) | Chapter 11 |
| |) | |
| W. R. GRACE & CO., et al. |) | Case No. 01-01139 (JKF) |
| |) | (Jointly Administered) |
| Debtors. |) | |
| |) | Re Docket Nos. 15308, 15311, 15314, |
| |) | 15316, 15318, 15320, 15322, 15324, |
| |) | 15326, 15328, 15330, 15332, 15334, |
| |) | 15336, 15338, 15340, 15342, 15344, |
| |) | 15346, 15347, 15350, 15352, 15354, |
| |) | 15356, 15358, 15360, 15362, 15364, |
| |) | 15366, 15370, 15373, 15376, 15380, |
| |) | 15384, 15386, 15388, 15391, 15394, |
| |) | 15396, 15398, 15400, 15403, 15407, |
| |) | 15410, 15210, and 15209 |

**COUNTER-DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD ON
APPEAL OF THE BANKRUPTCY COURT'S ORDER DISALLOWING 71
UNAUTHORIZED SPEIGHTS & RUNYAN CLAIMS**

The above-captioned Debtors, by and through their counsel, pursuant to Federal Rule of Bankruptcy 8006 and Local Rule 8006-1, in connection with the Appellants' Notices of Appeal (Dkt. Nos. 15308, 15311, 15314, 15316, 15318, 15320, 15322, 15324, 15326, 15328, 15330, 15332, 15334, 15336, 15338, 15340, 15342, 15344, 15346, 15347, 15350, 15352, 15354, 15356, 15358, 15360, 15362, 15364, 15366, 15370, 15373, 15376, 15380, 15384, 15386, 15388, 15391, 15394, 15396, 15398, 15400, 15403, 15407, and 15410) of the Bankruptcy Court's April 17, 2007 Order Expunging 71 Asbestos Property Damage Claims for Failure to Establish Written Authority Prior to the Bar Date (Dkt. No. 15210) and the Memorandum Opinion relating thereto

(Dkt. No. 15209), set forth this Counter-Designation of items to be included in the records on appeal.¹

| Additional Items to be Included in the Record on Appeal | | | |
|--|--------------------|----------------------------|---|
| | Date | Bankruptcy Dkt. No. | Description |
| 1 | February 25, 2002 | 1793 | Transcript of hearing |
| 2 | April 12, 2002 | 1926 | Revised bar date notice plan |
| 3 | April 12, 2002 | 1927 | Asbestos PD proof of claim form and related materials |
| 4 | April 15, 2002 | 1930 | Affidavit of services of bar date notice plan, proof of claim forms, and related materials |
| 5 | April 22, 2002 | 1960 | Order setting bar date for Asbestos PD Claims. |
| 6 | June 21, 2002 | 2382 | Declaration of service of bar date notice packages. |
| 7 | June 21, 2002 | 2274 | PD Committee motion to amend bar date order |
| 8 | July 22, 2002 | 2503 | Transcript of hearing |
| 9 | September 23, 2002 | 2745 | Amended order setting bar date for Asbestos PD Claims |
| 10 | October 10, 2003 | 4564 | Amended declaration of service of bar date notice packages. |
| 11 | July 19, 2004 | 6005 | Order granting Debtors leave from Local Rule 3007-1 |
| 12 | December 29, 2004 | | Letter from party notifying Debtors that Speights & Runyan filed a claim on their behalf without authorization. |
| 13 | January 21, 2005 | 7097 | Order setting protocols for litigating asbestos-related claims |
| 14 | June 17, 2005 | 8640 | Debtors' Twelfth Omnibus Objection |
| 15 | July 1, 2005 | 8907 | Deposition notice of Speights & Runyan |
| 16 | July 1, 2005 | 8908 | Deposition notice of Dan Speights |
| 17 | July 1, 2005 | 8909 | Deposition notice of Amanda Steinmeyer |

¹ Debtors submit a single counter-designation on account of the 44 notices of appeal. The 44 claims at issue were filed by a single law firm and disallowed in a single Bankruptcy Court order. Accordingly, Debtors request that the Court consolidate the appeals for purposes of briefing and argument.

| Additional Items to be Included in the Record on Appeal | | | |
|--|--------------------|-------|---|
| 18 | July 6, 2005 | 8947 | Anderson Memorial Motion for Protective Order |
| 19 | July 6, 2005 | 8947 | Motion for protective order regarding the depositions of claimants allegedly represented by Speights & Runyan |
| 20 | July 18, 2005 | 9006 | Withdrawal of Motion for protective order regarding the depositions of claimants allegedly represented by Speights & Runyan |
| 21 | July 18, 2005 | 9008 | Motion for leave to file Debtors' 13th omnibus objection |
| 22 | July 26, 2005 | 9070 | Motion to quash the depositions of Dan Speights and Amanda Steinmeyer |
| 23 | August 29, 2005 | 9300 | Order granting Debtors leave to file their 13th omnibus objection |
| 24 | September 19, 2005 | 9473 | Order setting date for response to 15th omnibus objection |
| 25 | October 7, 2005 | 9607 | Speights & Runyan's Response to 13th omnibus objection |
| 26 | November 10, 2005 | 11035 | Order setting argument on certain Asbestos PD Claims |
| 27 | December 2, 2005 | 11245 | Debtors' brief in opposition to Anderson Memorial's motion for class certification |
| 28 | January 13, 2006 | 11547 | Brief describing the purpose that publication notice served in the Debtors' bar-date notice-program |
| 29 | February 3, 2006 | 11712 | Debtors' brief in further support of the disallowance of 71 claims |
| 30 | April 5, 2006 | 12206 | Affidavit of Katherine Kinsella/Novak Communications, Ltd. filed by Debtors in support of the Debtors' notice program |
| 31 | July 24, 2006 | 12919 | Transcript of hearing |
| 32 | August 21, 2006 | 13077 | Transcript of hearing |
| 33 | March 30, 2003 | N/A | Claim No. 10516 (as amended) |
| 34 | March 30, 2003 | N/A | Claim No. 10523 (as amended) |
| 35 | March 30, 2003 | N/A | Claim No. 10533 (as amended) |
| 36 | March 30, 2003 | N/A | Claim No. 10534 (as amended) |
| 37 | March 30, 2003 | N/A | Claim No. 10668 (as amended) |
| 38 | March 30, 2003 | N/A | Claim No. 10672 (as amended) |
| 39 | March 30, 2003 | N/A | Claim No. 10673 (as amended) |
| 40 | March 30, 2003 | N/A | Claim No. 10696 (as amended) |

| Additional Items to be Included in the Record on Appeal | | | |
|--|----------------|-----|------------------------------|
| 41 | March 30, 2003 | N/A | Claim No. 10700 (as amended) |
| 42 | March 30, 2003 | N/A | Claim No. 10722 (as amended) |
| 43 | March 30, 2003 | N/A | Claim No. 11066 (as amended) |
| 44 | March 30, 2003 | N/A | Claim No. 10746 (as amended) |
| 45 | March 30, 2003 | N/A | Claim No. 10747 (as amended) |
| 46 | March 30, 2003 | N/A | Claim No. 10762 (as amended) |
| 47 | March 30, 2003 | N/A | Claim No. 10767 (as amended) |
| 48 | March 30, 2003 | N/A | Claim No. 10789 (as amended) |
| 49 | March 30, 2003 | N/A | Claim No. 10947 (as amended) |
| 50 | March 30, 2003 | N/A | Claim No. 10998 (as amended) |
| 51 | March 30, 2003 | N/A | Claim No. 11003 (as amended) |
| 52 | March 30, 2003 | N/A | Claim No. 11018 (as amended) |
| 53 | March 30, 2003 | N/A | Claim No. 11046 (as amended) |
| 54 | March 30, 2003 | N/A | Claim No. 11226 (as amended) |
| 55 | March 30, 2003 | N/A | Claim No. 11106 (as amended) |
| 56 | March 30, 2003 | N/A | Claim No. 11144 (as amended) |
| 57 | March 30, 2003 | N/A | Claim No. 11110 (as amended) |
| 58 | March 30, 2003 | N/A | Claim No. 11124 (as amended) |
| 59 | March 30, 2003 | N/A | Claim No. 11128 (as amended) |
| 60 | March 30, 2003 | N/A | Claim No. 11133 (as amended) |
| 61 | March 30, 2003 | N/A | Claim No. 11151 (as amended) |
| 62 | March 30, 2003 | N/A | Claim No. 11158 (as amended) |
| 63 | March 30, 2003 | N/A | Claim No. 11179 (as amended) |
| 64 | March 30, 2003 | N/A | Claim No. 11153 (as amended) |
| 65 | March 30, 2003 | N/A | Claim No. 11200 (as amended) |
| 66 | March 30, 2003 | N/A | Claim No. 11722 (as amended) |
| 67 | March 30, 2003 | N/A | Claim No. 11257 (as amended) |
| 68 | March 30, 2003 | N/A | Claim No. 11262 (as amended) |
| 69 | March 30, 2003 | N/A | Claim No. 11384 (as amended) |
| 70 | March 30, 2003 | N/A | Claim No. 11389 (as amended) |
| 71 | March 30, 2003 | N/A | Claim No. 11422 (as amended) |
| 72 | March 30, 2003 | N/A | Claim No. 11550 (as amended) |
| 73 | March 30, 2003 | N/A | Claim No. 11555 (as amended) |
| 74 | March 30, 2003 | N/A | Claim No. 11572 (as amended) |
| 75 | March 30, 2003 | N/A | Claim No. 11689 (as amended) |
| 76 | March 30, 2003 | N/A | Claim No. 11701 (as amended) |
| 77 | March 30, 2003 | N/A | Claim No. 11703 (as amended) |


Dated: May 17, 2007

Respectfully submitted,

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